

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

06 JUL 12 PM 12:07

JUL - 5 2006

OFFICE OF THE CLERK

DOCKET NO. 1657

FILED  
CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

*(SEE ATTACHED SCHEDULE) 4:06cv3140*

**CONDITIONAL TRANSFER ORDER (CTO-56)**

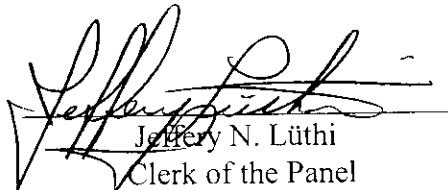
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 3,987 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the Panel's order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-56 - TAG-ALONG ACTIONS  
DOCKET NO. 1657  
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 3 06-476	Rosemary Leverett, etc. v. Merck & Co., Inc., et al.
ALABAMA NORTHERN ALN 2 06-1180	Clinton Gene Kelley v. Merck & Co., Inc.
ARIZONA AZ 2 06-1469	Sultan Rahim Strong, etc. v. Merck & Co., Inc., et al.
CALIFORNIA CENTRAL CAC 2 06-3379 CAC 2 06-3380	Ann A Baumgartner, et al. v. Merck & Co., Inc. Stephen R. Bajon, et al. v. Merck & Co., Inc.
CALIFORNIA EASTERN CAE 2 06-1294 CAE 2 06-1313	Michael Neaderhiser v. Merck & Co., Inc., et al. Lino Laolagi, et al. v. Merck & Co., Inc.
FLORIDA MIDDLE FLM 3 06-510 FLM 3 06-529 FLM 3 06-550 FLM 8 06-1064 FLM 8 06-1115	Mary Kilis, etc. v. Merck & Co., Inc. Janis Roberts v. Merck & Co., Inc. James Mollenhour v. Merck & Co., Inc., et al. Kada Kahric v. Merck & Co., Inc. Fay Virginia Perttunen, etc. v. Merck & Co., Inc.
FLORIDA SOUTHERN FLS 0 06-60849 FLS 1 06-21425 FLS 1 06-21470 FLS 9 06-80545	Gloria Lopez v. Merck & Co., Inc. Nellie Granger, etc. v. Merck & Co., Inc. Beatrice Tinsley v. Merck & Co., Inc. Milton Elliot v. Merck & Co., Inc., et al.
GEORGIA NORTHERN GAN 1 06-1428	Mary Louise Gollus v. Merck & Co., Inc.
IDAHO ID 1 06-230 ID 2 06-225	June Joos, et al. v. Merck & Co., Inc. Mary Ann Pierce v. Merck & Co., Inc.
ILLINOIS SOUTHERN ILS 3 06-430 ILS 3 06-462 ILS 3 06-463 ILS 3 06-465	Coy Nunn, et al. v. Merck & Co., Inc., et al. Ruthie Young, et al. v. Merck & Co., Inc., et al. Jeanne Haefner v. Merck & Co., Inc. Demetrius Hardaway, et al. v. Merck & Co., Inc., et al.

## SCHEDULE CTO-56 TAG-ALONG ACTIONS (MDL-1657)

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
INDIANA SOUTHERN INS 1 06-842	Virginia Rexroat, et al. v. Merck & Co., Inc.
KANSAS KS 2 06-2233	David Christie v. Merck & Co., Inc.
KENTUCKY EASTERN KYE 0 06-96	Anna Louise Curls v. Merck & Co., Inc.
LOUISIANA WESTERN LAW 5 06-1003	Randy Brazzel v. Merck & Co., Inc.
MARYLAND MD 1 06-1575 MD 1 06-1578	Guy E. Gaston v. Merck & Co., Inc. Charles N. Burgess, et al. v. Merck & Co., Inc.
MINNESOTA MN 0 06-2378 MN 0 06-2449 MN 0 06-2450 MN 0 06-2451 MN 0 06-2452 MN 0 06-2453 MN 0 06-2454 MN 0 06-2455 MN 0 06-2457 MN 0 06-2499	James R. Topp, Jr., et al. v. Merck & Co., Inc. John V. Crimmins v. Merck & Co., Inc. Ronald E. Hill v. Merck & Co., Inc. Donald E. Tremblay v. Merck & Co., Inc. Peter F. Bruers v. Merck & Co., Inc. Marc A. Patnode v. Merck & Co., Inc. Hugh W. Bernhardt v. Merck & Co., Inc. Ronald Skube v. Merck & Co., Inc. Peter Vondrak v. Merck & Co., Inc. Judith Kinney, et al. v. Merck & Co., Inc.
MISSISSIPPI SOUTHERN MSS 1 06-593	Annie W. McDonald, etc. v. Merck & Co., Inc.
NEBRASKA NE 4 06-3140	Margie H. Gibbs, et al. v. Merck & Co., Inc.
NEW YORK EASTERN NYE 1 06-2919	Harvey Kleinstein, et al. v. Merck & Co., Inc.
NEW YORK NORTHERN NYN 5 06-668 NYN 6 06-666	Yolanda C. Fero, etc. v. Merck & Co., Inc., et al. Paula Werner-Vecellio, et al. v. Merck & Co., Inc., et al.
NEW YORK SOUTHERN NYS 1 06-4430	Margarita Segui v. Merck & Co., Inc.
NEW YORK WESTERN NYW 6 06-6289	William L. Matthews, etc. v. Merck & Co., Inc., et al.
OHIO NORTHERN OHN 1 06-1466	Sandra Burnett, et al. v. Merck & Co., Inc., et al.
OKLAHOMA WESTERN OKW 5 06-623	Marjorie Murphy, et al. v. Merck & Co., Inc.

## SCHEDULE CTO-56 TAG-ALONG ACTIONS (MDL-1657)

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DIST. DIV. C.A. #CASE CAPTION

## PENNSYLVANIA EASTERN

PAE	2	06-2532	J. Mary Basanta v. Merck & Co., Inc.
PAE	2	06-2546	Joan M. Kelly, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2547	George Boyd, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2548	Martha Tanner, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2549	Jeffrey Klimmek, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2550	Jessie Powers v. Merck & Co., Inc., et al.
PAE	2	06-2551	Richard F. McLaughlin, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2552	John Dyminski, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2553	Caridad Castillo, et al. v. Merck & Co., Inc., et al.
PAE	2	06-2606	Donald Scheirer, et al. v. Merck & Co., Inc.
PAE	2	06-2622	Murray Bidner, et al. v. Merck & Co., Inc., et al.

## PENNSYLVANIA WESTERN

PAW	2	06-740	Carol Gault, et al. v. Merck & Co., Inc.
PAW	2	06-791	Sherrie A. MacKinney v. Merck & Co., Inc.
PAW	2	06-809	Thomas Conner v. Merck & Co., Inc.

## TEXAS EASTERN

TXE	5	06-120	Richard Glen Gunnels v. Merck & Co., Inc.
TXE	9	06-120	Sara Best, et al v. Merck & Co., Inc.

## TEXAS WESTERN

TXW	1	06-414	Marie D. Garnett, et al. v. Merck & Co., Inc.
TXW	3	06-196	Stuart Lee Neff v. Merck & Co., Inc.

## UTAH

UT	2	06-454	C. Gordon Linnett v. Merck & Co., Inc.
UT	2	06-493	Ellen Burlison, etc. v. Merck & Co., Inc.

## WASHINGTON WESTERN

WAW	2	06-841	Jeanette Stroschein, etc. v. Merck & Co., Inc.
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**INVOLVED JUDGES LIST (CTO-56)**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

Hon. Henry Lee Adams, Jr. U.S. District Judge United States District Court 11-200 U.S. Courthouse 300 N. Hogan Street Jacksonville, FL 32202-4204	Hon. Joy Flowers Conti U.S. District Judge 5250 U.S. Post Office & Courthouse 700 Grant Street Pittsburgh, PA 15219	Hon. Joan N. Erickson U.S. District Judge 12W U.S. Courthouse 300 South 4th Street Minneapolis, MN 55415
Hon. Ann Aldrich Senior U.S. District Judge 17B Carl B. Stokes U.S. Courthouse 801 W. Superior Avenue Cleveland, OH 44113-1839	Hon. L. Scott Coogler U.S. District Judge 786 Hugo L. Black U.S. Courthouse 1729 Fifth Avenue North Birmingham, AL 35203-2000	Hon. David Folsom U.S. District Judge 309 U.S. Courthouse & Post Office 500 N. State Line Avenue Texarkana, TX 71854-5957
Hon. David Briones U.S. District Judge U.S. Courthouse 511 E. San Antonio Street El Paso, TX 79901-2401	Hon. Clarence Cooper U.S. District Judge 1701 Richard B. Russell Fed. Bldg. & U.S. Courthouse 75 Spring Street, S.W. Atlanta, GA 30303-3361	Hon. James L. Foreman Senior U.S. District Judge 740 U.S. Courthouse 301 West Main Street Benton, IL 62812
Hon. Susan C. Bucklew U.S. District Judge 1430 Sam M. Gibbons U.S. Courthouse 801 North Florida Avenue Tampa, FL 33602	Hon. Timothy J. Corrigan U.S. District Judge 11-100 United States Courthouse 300 N. Hogan Street Jacksonville, FL 32202	Hon. Donovan W. Frank U.S. District Judge 738 Warren E. Burger Federal Bldg. 316 North Robert Street St. Paul, MN 55101
Hon. Laurie Smith Camp U.S. District Judge 3210 Roman L. Hruska U.S. Courthouse 111 South 18th Plaza Omaha, NE 68102	Hon. Frank C. Damrell, Jr. U.S. District Judge 15-200 U.S. Courthouse 501 I Street Sacramento, CA 95814-2322	Hon. John P. Fullam Senior U.S. District Judge 15614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1780
Hon. Earl H. Carroll Senior U.S. District Judge U.S. Courthouse 401 West Washington St., SPC 48 Phoenix, AZ 85003	Hon. George B. Daniels U.S. District Judge 410 Thurgood Marshall U.S. Courthouse 40 Centre Street New York, NY 10007	Hon. J. Phil Gilbert U.S. District Judge U.S. Courthouse 301 West Main Street Benton, IL 62812-1362
Hon. Paul G. Cassell U.S. District Judge 112 Frank E. Moss U.S. Courthouse 350 South Main Street Salt Lake City, UT 84101-2180	Hon. Andre M. Davis U.S. District Judge 5B Edward A. Garmatz Federal Building & U.S. Courthouse 101 West Lombard Street Baltimore, MD 21201-2615	Hon. James T. Giles U.S. District Judge 17614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1797
Hon. Ron Clark U.S. District Judge 221 Jack Brooks Federal Building & U.S. Courthouse 300 Willow Street Tyler, TX 77701	Hon. David S. Doty Senior U.S. District Judge 14W U.S. Courthouse 300 South Fourth Street Minneapolis, MN 55415	Hon. Alan S. Gold U.S. District Judge 1017 Federal Courthouse Square 301 N. Miami Avenue Miami, FL 33128

## INVOLVED JUDGES LIST (CTO-56) MDL-1657

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Hon. Louis Guirola, Jr. U.S. District Judge United States District Court 814 Dan M. Russell, Jr. U.S. Courthouse 2012 15th Street Gulfport, MS 39501	Hon. Richard H. Kyle Senior U.S. District Judge 760 Warren E. Burger Federal Bldg. 316 N. Robert Street St. Paul, MN 55101	Hon. Marsha J. Pechman U.S. District Judge 14229 U.S. Courthouse 700 Stewart Street Seattle, WA 98101-1290
Hon. David F. Hamilton U.S. District Judge 330 Birch Bayh Federal Building & U.S. Courthouse 46 East Ohio Street Indianapolis, IN 46204	Hon. David G. Larimer U.S. District Judge 250 Kenneth B. Keating Federal Building 100 State Street Rochester, NY 14614-1324	Hon. William D. Quarles, Jr. United States District Court Edward A. Garmatz Fed. Bldg. & U.S. Courthouse 101 West Lombard Street Baltimore, MD 21201
Hon. S. Maurice Hicks, Jr. U.S. District Judge 5226 United States Courthouse 300 Fannin Street, Suite 5226 Shreveport, LA 71101	Hon. Edward J. Lodge U.S. District Judge James A. McClure Federal Building & U.S. Courthouse 550 West Fort Street Boise, ID 83724-0101	Hon. Eduardo C. Robreno U.S. District Judge 11614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1745
Hon. Paul C. Huck U.S. District Judge 1067 James Lawrence King Federal Justice Bldg. 99 Northeast Fourth Street Miami, FL 33132	Hon. John W. Lungstrum Chief Judge, U.S. District Court 517 Robert J. Dole U.S. Courthouse 500 State Avenue Kansas City, KS 66101-2400	Hon. James M. Rosenbaum Chief Judge, U.S. District Court 15E U.S. Courthouse 300 South Fourth Street Minneapolis, MN 55415
Hon. David N. Hurd U.S. District Judge Alexander Pirnie Federal Building 10 Broad Street Utica, NY 13501	Hon. Paul A. Magnuson Senior U.S. District Judge 730 Warren E. Burger Federal Building 316 North Robert Street St. Paul, MN 55101	Hon. Cynthia M. Rufe U.S. District Judge United States District Court 4000 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1796
Hon. Sterling Johnson, Jr. Senior U.S. District Judge 720 S United States Courthouse 225 Cadman Plaza East Brooklyn, NY 11201	Hon. Kenneth A. Marra U.S. District Judge 205E United States Courthouse 299 East Broward Boulevard Fort Lauderdale, FL 33301	Hon. Dan M. Russell, Jr. Senior U.S. District Judge U.S. District Court 614 Dan M. Russell, Jr. U.S. Courthouse 2012 15th Street Gulfport, MS 39501
Hon. Lawrence K. Karlton Senior U.S. District Judge 15-200 U.S. Courthouse 501 I Street Sacramento, CA 95814	Hon. Terrence F. McVerry U.S. District Judge 6370 U.S. Post Office & Courthouse 700 Grant Street Pittsburgh, PA 15219	Hon. David Sam Senior U.S. District Judge 148 Frank E. Moss U.S. Courthouse 350 South Main Street Salt Lake City, UT 84101
Hon. Bruce W. Kauffman U.S. District Judge 5613 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1776	Hon. Norman A. Mordue Chief Judge, U.S. District Court P.O. Box 7336 Syracuse, NY 13261	Hon. Timothy J. Savage U.S. District Judge 7614 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106
Hon. Robert F. Kelly Senior U.S. District Judge 11613 James A. Byrne U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1765	Hon. G. Patrick Murphy Chief Judge, U.S. District Court 255 Melvin Price Federal Building & U.S. Courthouse 750 Missouri Avenue E. St. Louis, IL 62201	Hon. Berle M. Schiller U.S. District Judge 5614 U.S. Courthouse 601 Market Street Philadelphia, PA 19106

## INVOLVED JUDGES LIST (CTO-56) MDL-1657

Hon. Patrick J. Schiltz  
 U.S. District Judge  
 U.S. District Court  
 Warren E. Burger Federal Building  
 316 North Robert Street  
 St. Paul, MN 55101

Hon. Arthur J. Schwab  
 U.S. District Judge  
 7280 United States Post Office & Courthouse  
 700 Grant Street  
 Pittsburgh, PA 15219

Hon. Norma L. Shapiro  
 Senior U.S. District Judge  
 10614 James A. Byrne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106-1774

Hon. R. Barclay Surrick  
 U.S. District Judge  
 8614 James A. Byrne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106-1796

Hon. Myron H. Thompson  
 U.S. District Judge  
 P.O. Box 235  
 Montgomery, AL 36101-0235

Hon. John R. Tunheim  
 U.S. District Judge  
 13E U.S. Courthouse  
 300 South Fourth Street  
 Minneapolis, MN 55415

Hon. John F. Walter  
 U.S. District Judge  
 176 United States Courthouse  
 312 North Spring Street  
 Los Angeles, CA 90012-4701

Hon. James D. Whittemore  
 U.S. District Judge  
 223 Sam M. Gibbons U.S. Courthouse  
 801 North Florida Avenue  
 Tampa, FL 33602

Hon. Henry R. Wilhoit, Jr.  
 Senior U.S. District Judge  
 320 Federal Building  
 1405 Greenup Avenue  
 Ashland, KY 41101

Hon. B. Lynn Winmill  
 Chief Judge, U.S. District Court  
 James A. McClure Federal Building &  
 U.S. Courthouse  
 550 West Fort Street  
 Boise, ID 83724

Hon. Lee Yeakel  
 U.S. District Judge  
 U.S. Courthouse  
 200 W. 8th Street  
 Suite 200  
 Austin, TX 78701

Hon. William J. Zloch  
 Chief Judge, U.S. District Court  
 202B United States Courthouse  
 299 East Broward Boulevard  
 Fort Lauderdale, FL 33332